Docket No.:

RECEIVED CENTRAL FAX CENTER

DEC 2 2 2004

ZILKA·KOTAB ZILKA, KOTAB & FEECE™

95 SOUTH MARKET ST., SUITE 420 **SAN JOSE, CA 95113**

NAIIP009/01.114.01

SVIPG

TELEPHONE (408) 971-2573 FAX (408) 971-4660

App. No: 09/895,535

FAX COVER SHEET

Date:	December 22, 2004	Phone Number	Fax Number
То:	Examiner B. Alies		(703) 872-9306
From:	Kevin J. Zilka		

Message:
Please deliver to Examiner Alies.
Thank you,
Kevin J. Zilka

☐ Original to follow Via Regular Mail X Original will Not be Sent ☐ Original will follow Via Overnight Courier

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is attorney privileged and confidential information intended only for the iscommunication in the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (if long distance, please call collect) and return the original message to us at the above address via the U.S. Postal Service. Thank you.

> IF YOU DO NOT RECEIVE ALL PAGES OR IF YOU ENCOUNTER ANY OTHER DIFFICULTY, PLEASE PHONE Erica
> AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

December 21, 2094

(Revised 1796)

	<u>IN T</u>	HE UNITED ST	ATES PATE	NT AND TRADE	MARK (OFFICE	PATENT
l:	n re application of:)	•			
N	∕lagdych et al.)	Group Art Uni	t: 2142	٤	
А	pplication No. 09/	895,535)))	Ex.: Alies, Ben	jamin A.		RECEIVEL CENTRAL FAX CEI
F P	iled: June 29, 200 or: SYSTEM, ME ROGRAM PRODI FFICIENCY IN N	THOD AND C	ROVED)		er 22, 20	004	DEC 2 2 200
Ų	TILIZING A POR RE-QUALIFICAT	T STATUS)	,			
			I hereby certifications, Alexander Signed:	eRTIFICATE OF FACSII y that this correspondent maria, VA_22313-1450 g Erica L. Farlow	AILE e is being far facsimile no	esimile transn u ber: (703)	nitted to the Commissioner for 872-9306 on the above date.
P.O. Box	oner for Patents 1450 a, VA 22313-1450						
	nsmitted herewith is e fee has been calcula			identified applicat	ion.		
TOTAL	Claims Remaining After Amendment	Highest Previously Paid For Extra	Present	SMALL ENT RATE FEE	ITY —	OR	LARGE ENTITY RATE FEE
CLAIMS		_23	_ 02	X25 = \$	OR	X50 =	\$100
CLAIMS		05	00	X100 = \$	OR	X200 =	\$0
[] Multiple Dependent Claim Present and Fee Not Previously Paid			\$130			\$0	
	TOTAL Applicant(s) hereby petition for a month of			S	ond to the	outstandin	\$100.00 g Office Action.
	is required, Ap charge the req Enclosed is ou If the required please charge	oplicant(s) hereby puired fees for an E ir Check No. in the fees are missing o	petition that so xtension of Ti e amount of \$ r any addition any overpayn	uch an extension be me under 37 CFR I to cover the additional fees are required ment to Deposit According	granted an 136 to De nal claim f to facilitate	d authorize posit Acco ee and/or e e filing the	the Commissioner to unt No. 50-1351.
			Ke	spectfully submitte ka Kotab, PC vin J. Zilka	ŕ		
	D. Box 721120 n Jose CA 95172-1	120		gistration No. 41,4	29		

Telephone: (408) 971-2573

SVIPG

PATENT

IN THE UNITED STATE	<u>ES PATENT AND TRADEMARI</u>	<u>COFFICE</u>
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In re application of:)	77.4
Magdych et al.))) Group Art Unit: 2142	RECEIVED CENTRAL FAX CENTER
Application No. 09/895,535) Ex.: Alies, Benjamin A.	DEC 2 2 2004
Filed: June 29, 2001) Date: December 22, 2004	
For: SYSTEM, METHOD AND COMPUTE PROGRAM PRODUCT FOR IMPROVED EFFICIENCY IN NETWORK ASSESSMEN' UTILIZING A PORT STATUS PRE-OUALIFICATION PROCEDUKE		·

CERTIFICATE OF FACSIMILE

I hereby cortify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Alexandria, VA 22313-1450 at lacsimile number: (703) 872-9306 on the above date.

signed: (luca). —

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated as shown below.

	Claims Remaining After Amendment	Highest Previously <u>Paid For Extra</u>	Present	SMALL ENT RATE FEE	ITY	OR	LARGE ENTITY RATE FEE	
TOTAL CLAIMS	25 -		_02	X25 = \$	OR	X50 =	\$100	
INDÉP CLAIMS		05	_00	X100 = \$	OR	X200 =	\$0	
[] Multiple Dependent Claim Present and Fee Not Previously Paid			\$130			\$0		
and I ce Not	rreviously Paid		TOTAL	\$			\$ <u>100.00</u>	

Applicant(s) hereby petition for a month extension of time to respond to the outstanding Office Action.

Applicant(s) believe that no Extension of Time is required; however, if it is determined that such an extension is required, Applicant(s) hereby petition that such an extension be granted and authorize the Commissioner to charge the required fees for an Extension of Time under 37 CFR 1.136 to Deposit Account No. 50-1351.

Enclosed is our Check No. in the amount of
to cover the additional claim fee and/or extension of time fees.

If the required fees are missing or any additional fees are required to facilitate filing the enclosed response, please charge such fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAI1P009). A copy of this sheet is enclosed for billing purposes.

Kespectfully submitted, Zilka Kotab, FC

Kevin X. Zilka Registration No. 41,429

P.O. Box 721120 San Jose, CA 95172-1120 Telephone: (408) 971-2573

(Revised 1796)

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RECEIVED CENTRAL FAX CENTER

PRE-QUALIFICATION PROCEDURE

DEC 2 2 2004 -1-

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE In re application of: Magdych et al. Ofroup Art Unit: 2142 Application No. 09/895,535 Ex.: Alies, Benjamin A. Filed: June 29, 2001 Date: December 22, 2004 For: SYSTEM, METHOD AND COMPUTER) PROGRAM PRODUCT FOR IMPROVED EFFICIENCY IN NETWORK ASSESSMENT) UTILIZING A PORT STATUS

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, Alexandria, VA 22313-1450 at facsimile number: 703) 872-9306 on the above date

igned:

AMENDMENT A

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to an Office Action mailed on 11/15/04, please enter the following in the above application: